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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Hoogland et al. Examiner: Johnson, J.
Serial No.: 09/913,906 Group Art Unit: 3728
Confirmation No: 7316 Docket: 294-106 PCT/US
Filed: January 22, 2002 Dated: January 31, 2006
For: STORAGE DEVICE HAVING
PROTECTIVE MEANS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Mail Stop Assignment Recordation Services, Director of the US Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on January 31, 2006

Signature: Deanna Bager**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In the Office Action mailed December 13, 2005, the Examiner has imposed a Restriction Requirement to one of the following inventions under the provisions of 35 U.S.C. § 121 and § 372.

- I. Claims 2, 3 and 18 (Group 1), drawn to a protective means comprising printing;
- II. Claims 4 and 34 (Group 2), drawn to a protective means comprising a magnet;
- III. Claim 6 (Group 3), drawn to a protective means comprising lip shaped sealing elements;
- IV. Claims 7, 8, and 9 (Group 4), drawn to the protective means comprising projections;
- V. Claims 10, 11, 35, 36 and 37 (Group 5), drawn to the protective means comprising band shaped or strip shaped elements.

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- VI. Claim 12 (Group 6), drawn to the protective means comprising a hologram.
- VII. Claim 13 (Group 7), drawn to the protective means comprising a bar code.
- VIII. Claim 14 (Group 8), drawn to the protective means comprising sealing means.
- IX. Claim 15 (Group 9), drawn to cooperating closing means.
- X. Claim 16 (Group 10), drawn to injection molding at a specific temperature.
- XI. Claim 17 (Group 11), drawn to one piece injection molding.
- XII. Claims 19-28 (Group 12), drawn to the method of manufacturing the protective means, specifically comprising printing, such that the protective means cannot be removed without damage.
- XIII. Claims 39 and 40 (Group 13), drawn to an apparatus for use in the manufacture of the storage device.
- XIV. Claim 41 (Group 14), drawn to means for fitting.

In response to the Restriction Requirement, Applicants elect the subject matter defined by Claims 19-28 in Group 12 with traverse.

Applicants respectfully submit that Claim 1 sets forth a single patentable inventive concept and, therefore, restriction is not warranted. In particular, it is respectfully submitted that Claim 1 is patentable over Butcher WO 98/19305 and U.S. Patent No. 5,189,531, taken alone or combined.

The Examiner states that Butcher discloses a storage device for plate shaped data carriers and that an image or a hologram can be achieved in the device in a single moulding operation. However, on page 10, lines 27-31, Butcher only discloses that the surfaces of the holder can be "embossed or raised" and that "holograms can be added to the holder's surface." This is entirely different than the integral molded protective means set forth in Claim 1.

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The first example described in the Butcher patent is that an image can be embossed or raised out of the surface of the holder in a single molding operation. This simply relates to a single step process wherein the plastic material is deformed beyond the surface to produce a raised or embossed portion of the surface. When referring to holograms, however, Butcher states that such graphic images can be added to the holder's surface. This is a clear indication of a two-step process, as opposed to the integral molding process of Claim 1.

Moreover, it is stated that the purpose of providing such holograms is for in-store security tagging purposes only. There is no mention in the Butcher patent of providing a protective means to a storage device, wherein the protective means has information relating directly to the information carrier contained therein. In other words, there is no informational relation between the hologram disclosed in the Butcher patent and the storage device disclosed in the Butcher patent. Butcher only teaches that the package can be aesthetically enhanced or that a tag can be added having a hologram for preventing theft of the package from a store. Butcher does not teach or suggest a combined package and data carrier authentication means, as defined in Claim 1.

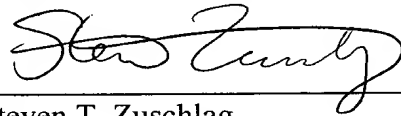
Furthermore, adding the holograms to the holder's surface for "in-store security tagging purposes" implies that the hologram is to be removed upon purchase of the item and prior to leaving the store. Thus, the hologram disclosed in the Butcher patent would not serve as an authentication means, as defined in Claim 1. Indeed, in the preferred embodiments of the present invention, the protective means are not removable without inevitable damage to the storage device itself.

For all the reasons set forth above, it is respectfully submitted that Claim 1 does indeed set forth a single patentable inventive concept and, therefore, restriction is not warranted. Accordingly, Applicants respectfully request withdrawal of the restriction requirement and examination of the application with Claims 1-37 and 39-41.

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If resolution of any remaining issues is required prior to examination of the application, it is respectfully requested that the Examiner contact Applicants' undersigned attorney at the telephone number provided below.

Respectfully submitted,



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